

REMARKS

Claims 1-31 were pending in this application. Claims 1, 11, 24, 26-28 and 31 have been amended, claim 30 has been canceled, and claims 32-35 have been added. Hence, claims 1-29 and 31-35 are now pending. Reconsideration of the subject application is respectfully requested.

Claims 26-27 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, and for insufficient antecedent basis for the recited limitation "said sensor".

Claims 28-31 have been rejected under 35 U.S.C. 102(b) as being anticipated by Maltman et al., U. S. Pat. No. 5,722,221.

Claims 11-15 have been rejected under 35 U.S.C. § 102(b) as being anticipated by McCain et al., U. S. Pat. No. 3,717,337.

Claim 24 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Muller, U. S. Pat. No. 4,511,132.

Claims 16-23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McCain et al. in view of Manley et al., U. S. Pat. No. 5,171,005.

Claims 1-4, 6, 9, and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome, U. S. Pat. No. 5,088,711 in view of Otter et al., U.S. Pat. No. 4,718,657.

Claim 5 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome in view of Otter et al.

Claims 7 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Newsome in view of Otter et al. as applied to claim 1 above, and further in view of Hill et al., U. S. Pat. No. 5,388,815.

Claims 25-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Muller in view of Manley.

REJECTIONS UNDER 35 U.S.C. § 1112

Applicant has amended claims 26 and 27 to modify the claim dependency, thus rendering the above-noted rejection moot.

REJECTIONS UNDER 35 U.S.C. § 102 AND §103

Independent claim 1, as amended, provides a mail processing apparatus that includes a paper feeding mechanism adapted to feed sheets of paper into a collection bin to form a stack. A retrieval mechanism is configured to remove a bottom one of the sheets from the stack. A deionizer is adapted to reduce static electricity in the vicinity of the stack to facilitate removal by the retrieval mechanism of only one of the sheets. The deionizer is positioned so that the sheets fed into the collection bin pass over the deionizer. Such an apparatus is not disclosed, taught nor suggested by the cited art Newsome in view of Otter.

Applicant respectfully asserts the relationship between the feeding mechanism and collection bin of claim 1 is not as characterized by the Examiner in the April Office Action. In particular, claim 1 requires that the paper feeding mechanism is adapted to feed paper into the collection bin to form a stack. In Fig. 1 of Newsome and the relevant discussion in col. 3, Newsome discusses receiving palates of signatures in a magazine binding facility. The signatures 32 are "ultimately supplied to side-by-side receiver hoppers 33A through 33F". (See col. 3, lines 28-31) Newsome is silent as to how the signatures 32 are deposited into the hoppers. Thus, for at least this reason,

independent claim 1 is allowable over the cited art. Further, the Examiner has combined Newsome with Otter, noting that Otter teaches an anti-static bar 172. However, this anti-static bar is coupled to an output of a printer or copy machine. As is well known in the art, the output from printer or copier typically is picked up or removed en masse, without separating pages from one another after they had been stacked by the copier. In contrast, independent claim 1 provides that the retrieval mechanism is configured to remove a bottom sheet from the stack that has been formed in the collection bin. Since this stack formed in the collection bin has passed over the deionizer, the deionizer serves a different function in amended claim 1 than the anti-static bar of Otter. In particular, the deionizer, as provided in claim 1, facilitates removal by the retrieval mechanism of only one sheet of paper at a time. Such a feature is not found in Otter or Newsome.

Further, Applicant respectfully asserts there is no motivation to combine the references Newsome and Otter. Newsome is silent with respect to static or problems related thereto, thus the addition of Otter would be an attempt to solve a problem not realized or non-existent for Newsome. Applicant respectfully asserts the Examiner is using hindsight in combining these references to reject Applicant's claim 1. Thus, for at least these reasons, independent claim 1 is allowable over the cited art. Claims 2-8 are allowable for at least depending from allowable independent claim 1.

Independent claim 9 provides a method of processing mail that includes, *inter alia*, providing a plurality of sheets of paper, and feeding the sheets of paper sequentially into a collection bin to form a stack, with the collection bin comprising a deionizer adapted to reduce static electricity in the vicinity of the stack. The method further includes retrieving a bottom one of the sheets of paper from the stack with the retrieval mechanism. For at least the reasons provided in conjunction with claim 1, independent claim 9 as filed is allowable over the cited art. In particular, Newsome failed to disclose, teach or suggest feeding sheets sequentially into a collection bin to form a stack. Further, Otter fails to disclose, teach or suggest removing a bottom sheet

from a stack after the sheets have been sequentially passed over the deionizer. As previously noted, the stacks in Otter comprise the end product of a printer or copy function, and thus Otter does not teach individually removing the sheets. For at least these reasons, independent claim 9 and dependent claim 10 thereto, are allowable over the cited art.

Claim 11 as amended provides a mail processing apparatus which includes, *inter alia*, an inserting mechanism that is adapted to add an insert to a passing sheet. The inserting mechanism includes a grasping mechanism that is adapted to grasp and move the insert onto the passing sheet. The grasping mechanism travels in a first direction prior to grasping the insert and in a second direction to move the insert. The inserting mechanism includes a nozzle positioned above the track that is adapted to direct a gas stream onto the insert to hold the insert to the sheet. In this manner, the nozzle and gas stream facilitate the passage of the grasping mechanism over both the sheet and the insert when the grasping mechanism is moving in the first direction to grasp a subsequent insert for a subsequent sheet. Such a mail processing apparatus as claimed is not disclosed by the cited art McCain.

In particular, McCain fails to disclose, teach or suggest a grasping mechanism that travels in a first direction prior to grasping the insert, and in a second direction to move the insert. As shown in McCain, *e.g.*, Fig. 6, disc 25 rotates about shaft 30, with grippers 20 engaging the sheets. Disc 25 undergoes a 360 degree continuous rotation to first engage the sheets and subsequently deposit the sheets. Thus, McCain fails to disclose, teach or suggest the apparatus as claimed in independent claim 11 and claim 11 is allowable. Claims 12-23 all depend from claim 11 and are allowable for at least this same reason.

Independent claim 24 provides a method of processing mail. The method includes adding an insert to a first sheet passing along a track. The adding includes

grasping the insert with a grasping mechanism, moving the insert onto the first sheet to form a stack, releasing the insert from the grasping mechanism and holding the insert to the first sheet. The holding of the insert to the first sheet includes directing a gas stream onto the insert, wherein the holding is adapted to facilitate the passage of the grasping mechanism over the stacked first sheet and insert. Such a method is not disclosed, taught or suggested by the cited art Muller.

In particular, Muller uses a rotary transfer unit 12a which rotates about shaft 8 to engage sheets S, as shown in Fig. 3 of Muller. The sheets disengage from transfer units 12, and come to rest on platform 13. The sheet S is then removed from platform 13 by a passing pusher 3. Only after pusher 3 has removed sheet S from platform 13 does sheet S engage or rest on a stack of underlying sheets or pages P as shown in Fig. 3. Thus, the use of an air stream in Muller does not hold the insert to the first sheet as required by independent claim 24. Further, it is believed the gas stream of Muller does not facilitate the passage of transfer unit 12 over the stacked sheets, in part since transfer unit 12 is a rotary transfer unit and remains longitudinally and latitudinally stable relative to sheets S maintained on platforms 13. Thus, for at least these reasons, independent claim 24 is allowable over the cited art. Claims 25-27 are allowable for at least depending from allowable independent claim 24.

Independent claim 28 provides a mail processing apparatus that includes, *inter alia*, a nozzle system adapted to direct a gas into an envelope to hold the envelope open for inserts. The nozzle system includes a central nozzle and a side nozzle that are fixedly coupled together using a fixture in a non-parallel arrangement. Such an apparatus is not disclosed, taught nor suggested by the cited art Maltman.

In particular, Maltman appears to use uniform jets that are arranged parallel to one another. Thus, Maltman fails to teach all limitations of claim 28. For at least this reason, independent claim 28, and dependent claim 29 are allowable over the

cited art. Independent claim 31 is allowable for at least the same reasons. Claim 31 provides a method of processing mail that includes directing gas into an opening to hold open the envelope to facilitate receipt of an insert. The method includes directing the gas with a central nozzle in a first direction and directing the gas with a side nozzle in a second direction near an edge of the envelope opening. The first and second directions of the central and side nozzles, respectively, are non-parallel. Further, the central nozzle is larger than the side nozzle. Again as noted above, Maltman fails to disclose, teach or suggest non-parallel nozzles. Maltman also fails to disclose, teach or suggest nozzles of various sizes depending at least in part on the desired direction of air flow. For at least this reason, independent claim 31 is allowable over the cited art.

Added claims 32-35 are allowable for at least depending from an allowable independent claim, as well as being allowable for the additional novel features contained therein.

A one-month Petition to Extend Time to Respond from July 21, 2003 to August 21, 2003 is attached hereto. The commissioner is hereby authorized to charge any fees associated with this paper during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of

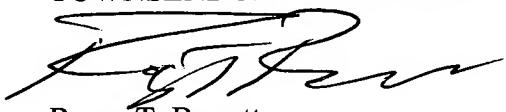
Application No.: 10/045,589
Amendment dated August 21, 2003
Reply to Office Action of April 21, 2003
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PATENT

Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

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